

Docket No. TC 2002.00

## Certificate of Transmission

[ ] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to Box AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[x] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Keith Hendricks at Facsimile No. (703) 308-3959.

Dated: May 22, 2003

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROSS, Reynolds Paul, et al.

Filing Date: March 7, 2001

Examiner: Hendricks, Keith

Serial No.: 09/720,382

Group Art Unit: 1761

Title: A SPRAY-DRIED BACTERIOCIN POWDER WITH ANTI-MICROBIAL ACTIVITY

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Appeals from the Final Office Action dated November 25, 2002 of the Examiner rejecting claims 1-9 and 11-15. The items checked below are appropriate.



Appeal Fee:



Large Entity Fee of \$320.00; or



Small Entity Fee of \$160.00.



Applicant(s) claim Small Entity Status under 37 CFR § 1.27.



Petition for Extension of Time (3 mos.)



Petition for Extension of Time Fee \$520.00



Return Postcard.

06/03/2003 DFLOYD 00000002 502518 09720382

32 FC:1401 320.00 CH

Docket No. TC 2002.00



Payment of Fees



Enclosed is Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.



Please charge Deposit Account No. 50-2518, in the amount of \$ 840.00 to cover the above-fees referencing billing reference No. 7005492001 a duplicate copy of this sheet is enclosed for fee processing.



The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518, referencing billing reference No. 7005492001.

DATE: May 22, 2003

Respectfully submitted,

By: 

Antoinette F. Konski

Registration No.: 34,202

Bingham McCutchen, LLP  
Formerly McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center  
San Francisco, California 94111  
Telephone: (415) 393-2000  
Telefax: (415) 393-2286